


FORMAL ENTRY

CRAWFORD MAUNU PLLC
Attorneys at Law
1270 Northland Drive, Suite 390
St. Paul, Minnesota 55120
651-686-6633 • fax 651-686-7111

**FACSIMILE**

DATE:	February 25, 2003	SER. NO.:	09/332,212
ATTN:	Examiner Smith	FROM:	Robert Crawford
FAX NO.:	703-872-9318	DOCKET NO.	PHN 16.982 (PENA.024PA))
PHONE NO.:			Office Action Response
NO. OF PAGES (w/ cover sheet):	1 of 6	SUBJECT:	

FAX RECEIVED

FEB 25 2003

TECHNOLOGY CENTER 2800

NOTICE OF CONFIDENTIALITY AND
ATTORNEY-CLIENT PRIVILEGED/WORK PRODUCT INFORMATION

This memorandum and the transmission it accompanies contain confidential information. The attorney-client privilege and the attorney work-product doctrines may protect this confidential information. This confidential information is to be reviewed only by the addressee identified above. If you have received this transmission in error, you are instructed to destroy all pages immediately and to call the sender at the telephone number indicated above.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Braat Examiner: Smith, Z.V.
Serial No.: 09/332,212 Group Art Unit: 2877
Filed: April 25, 2001 Docket No.: PHN-16.982
Title: DEVICE FOR SCANNING AN OPTICAL RECORD CARRIER

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being transmitted via facsimile only-Formal Entry, to the attention of Examiner Smith Assistant Commissioner for Patents, Washington, D.C. 20231, on February 25, 2003.

Facsimile No. (703) 872-9318

By: Kelly S. Waldgney

Kelly S. Waldgney

OFFICE ACTION RESPONSE

FAX RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 25 2003

TECHNOLOGY CENTER 2800

Dear Sir:

In response to the Office Action mailed November 25, 2002, please consider the following remarks.

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action mailed November 25, 2002, indicated that claims 2, 3 and 8 are objected to under 37 C.F.R. 1.75 for not providing antecedent basis for certain mathematical terms; claims 1, 6 and 9 stand rejected under § 102(b) as being anticipated by *Nakamura et al.* (U.S. Pat. No. 4,952,787); claims 2-3 stand rejected under § 103(a) as being unpatentable over the '787 reference in view of *Hoshi et al.* (U.S. Pat. No. 4,733,065); claims 4-5 stand rejected under § 103(a) as being unpatentable over the '787 reference in view of the *Hoshi* '065 reference and further in view of *Kuramochi et al.* (U.S. Pat. No. 5,008,552); claims 7